

Speakers Ruling on the notice of a motion under Rule 146 re: the reported Statement of the Chief Minister on the Cauvery Waters.

Mr. SPEAKER.— I have promised to give one or two rulings. The first one is in respect of the motion given notice of by the hon. Member Sri Channabasappa regarding Cauvery question. For the purpose of proper appreciation of the whole thing, I would like to read his motion :

“This House is of the opinion that the Chief Minister has abdicated the rights and interests of Mysore State in Cauvery waters by holding out an assurance to the Government of India and the Government of Tamil Nadu that he would faithfully implement the 1892 and 1924 agreements in contravention of the stand taken earlier by the State Government.”

The basis of this motion is that the Chief Minister is alleged to have given an assurance to the Government of India and to the Government of Tamilnadu and in support of his case, the hon. Member seems to rely upon the Press Report of the speech made by the Tamilnadu Chief Minister, Sri Karunanidhi, in the Tamil Nadu Assembly on 13th September 1969. I asked a question to the Chief Minister whether he has given such an assurance. He said that such a question was put to him by the hon. Member Sri Channabasappa and he has written to him wherein the whole matter was made clear. He has given me the copies of the letter of Mr. Channabasappa and the reply given by the Hon. Chief Minister. I will read out both the letters. Now the letter written by Mr. Channabasappa runs thus :—

“ Dear Sri Veerendra Patil,

Thank you for your letter No. CMI 2567/69 dated 1st December 1969 regarding the action taken on the interim report of the Resources Committee.

The urge for expeditious action on the interim report arises out of the time factor contemplated in the 1924 agreement for sharing of the surplus waters of the Cauvery. I shall be obliged if you will kindly let me know if you stand committed in any manner writing or oral; or given them (Government of India and Government of Madras) to understand that you would faithfully implement the 1924 during the Inter-State Meeting held at New Delhi in August 1968.

Thanking you.

Yours sincerely,

Sd. H. M. Channabasappa.”

The reply by the Chief Minister is as follows :—

“Dear Channabasappa,

Kindly refer to your letter dated 5th December 1969.

(MR. SPEAKER)

In the meeting held with the Union Minister for Irrigation and Power and the Minister for Irrigation of Tamil Nadu (the present Chief Minister of Tamil Nadu) in August 1968 at New Delhi, the question of clearance to the Hemavathi Project and its various aspects were discussed. It was made clear that Mysore had objections and reservations about the 1924 agreement. Therefore there was no question of making any commitment that the 1924 agreement could be faithfully implemented.

With regards,

Yours sincerely,

(Sd.) VEERENDRA PATIL "

The answer is clear. The Chief Minister has not given any assurance as alleged in the motion and therefore I am unable to give him consent to the motion.

Speaker's Ruling *re* : a notice of adjournment motion about the arrest and detention of Sri Vatal Nagaraj in Tamil Nadu

MR. SPEAKER.—Hon. Members must remember that they were very much agitated over the arrest and detention of the hon. Member Mr. Vatal Nagaraj by the police of Tamil Nadu at Talavadi. Notice was given by a number of hon. Members for adjourning the proceedings of the House to consider that matter. The facts involving the arrest and detention of the hon. Member were above controversy. The only question that had to be considered was the constitutional position, *i.e.*, the Government of Mysore had no responsibility for the arrest and detention of the hon. member for which the Tamil Nadu Police were responsible.

Hon. Members who participated in the discussion on the admissibility of the motion raised very important issues. They raised the issue of fundamental rights under Article 19 of the Constitution, and the issue of India being one country with a common citizenship, with the result that any Indian citizen can go from one end of India to the other without let or hindrance and therefore, it was not correct on the part of the Tamil Nadu police to have arrested Sri Vatal Nagaraj, Hon. Member of this House.

I have carefully considered the constitutional position and I would like to make reference to certain articles of the Constitution in this context. Hon. Members know that States have been created under article 2 of the Constitution, and the Constitution defines the powers and jurisdiction of the legislatures of the States and the Governments of the States under article 245...